

FORM PTO-1390  
(REV 10-94)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

3164.149USWO

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)

Unknown 09/937351

INTERNATIONAL APPLICATION NO.

PCT/AU00/00254

INTERNATIONAL FILING DATE

March 24, 2000

PRIORITY DATE CLAIMED

March 24, 1999

TITLE OF INVENTION

MEASURING AND CONTROLLING THE FLOW OF FLOWABLE MATERIALS

APPLICANT(S) FOR DO/EO/US


WELCH et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(l).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☒ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☒ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☒ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☒ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An unsigned oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

## Items 11. to 16. below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A FIRST preliminary amendment; Marked-up Copy of Claims, Abstract.  
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information: PCT/ISA/210; PCT/IPEA/409

|   |              |   |            |  |           |
|---|--------------|---|------------|--|-----------|
| U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)<br>Unknown <b>09/937351</b>  |              | INTERNATIONAL APPLICATION NO.<br>PCT/AU00/00254 |            | ATTORNEY'S DOCKET NUMBER<br>3104.149USWO   |           |
| 17. <input checked="" type="checkbox"/> The following fees are submitted:<br><br><b>BASIC NATIONAL FEE (37 CFR 1.492(a) (1)-(5)):</b><br>Search Report has been prepared by the EPO or JPO.....\$860.00<br><br>International preliminary examination fee paid to USPTO<br>(37 CFR 1.492(a)(1)).....\$690.00<br><br>No international preliminary examination fee paid to USPTO (37 CFR 1.482)<br>but international search fee paid to USPTO (37 CFR 1.445(a)(2)).....\$710.00<br><br>Neither international preliminary examination fee (37 CFR 1.482) nor<br>international search fee (37 CFR 1.445(a)(3)) paid to USPTO ..... \$1000.00<br><br>International preliminary examination fee paid to USPTO (37 CFR 1.482)<br>and all claims satisfied provisions of PCT Article 33(2)-(4) .....\$100.00 |              |   |            | <b>CALCULATIONS PTO USE ONLY</b>   |           |
|   |              |   |            |  |           |
|   |              |   |            |  |           |
|   |              |   |            |  |           |
|   |              |   |            |  |           |
| <b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>   |              |   |            | <b>\$1000.00</b>   |           |
| Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).  |              |   |            | <b>\$</b>  |           |
| CLAIMS  | NUMBER FILED | NUMBER EXTRA                                    | RATE       |  |           |
| Total claims  | 36 -20 =     | 16  | X \$18.00  | <b>\$288.00</b>  |           |
| Independent claims  | 8 -3 =       | 5   | X \$80.00  | <b>\$400.00</b>  |           |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable)   |              |   | + \$260.00 | <b>\$</b>  |           |
| <b>TOTAL OF ABOVE CALCULATIONS =</b>  |              |   |            | <b>\$1688.00</b>   |           |
| Reduction by 1/2 for filing by small entity, if applicable. Small entity status is claimed pursuant to 37 CFR 1.27  |              |   |            | <b>\$</b>  |           |
| <b>SUBTOTAL =</b>   |              |   |            | <b>\$1688.00</b>   |           |
| Processing fee of <b>\$130.00</b> for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).   |              |   |            | <b>+</b> <b>\$</b>   |           |
| <b>TOTAL NATIONAL FEE =</b>   |              |   |            | <b>\$1688.00</b>   |           |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property  |              |   |            | <b>+</b> <b>\$</b>   |           |
| <b>TOTAL FEES ENCLOSED =</b>  |              |   |            | <b>\$1688.00</b>   |           |
|   |              |   |            | <b>Amount to be:</b>   |           |
|   |              |   |            | <b>refunded</b>  | <b>\$</b> |
|   |              |   |            | <b>charged</b>   | <b>\$</b> |
| a. <input checked="" type="checkbox"/> Check(s) in the amount of <u>\$1688.00</u> to cover the above fees is enclosed.<br><br>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees.<br>A duplicate copy of this sheet is enclosed.<br><br>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>13-2725</u> .   |              |   |            |  |           |
| <b>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</b>  |              |   |            |  |           |
| SEND ALL CORRESPONDENCE TO:<br>Brian H. Batzli<br>MERCHANT & GOULD<br>P.O. Box 2903<br>Minneapolis, MN 55402-0903   |              |   |            |  |           |
|   |              |   |            | SIGNATURE:  |           |
|   |              |   |            | NAME: Curtis B. Hamre  |           |
|   |              |   |            | REGISTRATION NUMBER: 29,165  |           |

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

09/937351

Applicant: WELCH et al.

JC09 Rec'd PCT/PTO 24 SEP 2001

Docket: 3164.149USWO

Title: MEASURING AND CONTROLLING THE FLOW OF FLOWABLE MATERIALS

## CERTIFICATE UNDER 37 CFR 1.10

'Express Mail' mailing label number: EL921133894US

Date of Deposit: September 24, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service 'Express Mail Post Office To Addressee' service under 37 CFR 1.10 and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

By: 

Name: Omesh Singh

BOX PCT

Commissioner for Patents

Washington, D.C. 20231

Sir:

We are transmitting herewith the attached:

- ☒ Transmittal sheet, in duplicate, containing Certificate under 37 CFR 1.10.
- ☒ National Stage PCT Patent Application: Spec. 27 pgs; 36 claims  
The fee has been calculated as shown below in the 'Claims as Filed' table.
- ☒ 15 sheets of formal drawings
- ☒ An unsigned Combined Declaration and Power of Attorney
- ☒ A check in the amount of \$1688.00 to cover the Filing Fee
- ☒ Other: PCT/ISA/210; PCT/IPEA/409; Form PTO-1390; Preliminary amendment; Marked-up Copy of Claims, Abstract
- ☒ Return postcard

## CLAIMS AS FILED

| Number of Claims Filed       |   | In Excess of: |   | Number Extra |   | Rate  |   | Fee       |
|------------------------------|---|---------------|---|--------------|---|-------|---|-----------|
| Basic Filing Fee             |   |               |   |              |   |       |   | \$1000.00 |
| Total Claims                 |   |               |   |              |   |       |   |           |
| 36                           | - | 20            | = | 16           | x | 18.00 | = | \$288.00  |
| Independent Claims           |   |               |   |              |   |       |   |           |
| 8                            | - | 3             | = | 5            | x | 80.00 | = | \$400.00  |
| MULTIPLE DEPENDENT CLAIM FEE |   |               |   |              |   |       |   | \$0.00    |
| TOTAL FILING FEE             |   |               |   |              |   |       |   | \$1688.00 |

Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

MERCHANT & GOULD P.C.  
P.O. Box 2903, Minneapolis, MN 55402-0903  
(612) 332-5300

By: 

Name: Curtis B. Hamre

Reg. No.: 29,165

Initials: BBATZLI/CBH/kas



(PTO TRANSMITTAL - NEW FILING)